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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SIX

THE PEOPLE,

Plaintiff and Respondent,

v.

ARMANDO CRUZ,

Defendant and Appellant.

2d Crim. No. B278971  
(Super. Ct. No. 2016008920)  
(Ventura County)

Armando Cruz appeals from the judgment entered after the trial court convicted him of inflicting corporal injury on an ex-girlfriend resulting in a traumatic condition (Pen. Code, § 273.5, subd. (a)),<sup>1</sup> assault with a stun gun or Taser (§ 244.5, subd. (b)), threatening a witness (§ 140, subd. (a)), and use of a stun gun by a felon (§ 22610, subd. (a)). In a bifurcated proceeding, appellant admitted a prior strike conviction (§§ 667, subds. (c)(1) & (e)(1), 1170.12, subds. (a)(1) & (c)(1)) and a prior

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<sup>1</sup>All statutory references are to the Penal Code unless otherwise stated.

prison term enhancement (§ 667.5, subd. (b)). Appellant was sentenced to seven years state prison and ordered to pay victim restitution (§ 1202.4, subd. (f)), a \$1,050 restitution fine (§ 1202.4, subd. (b)), a \$1,050 parole restitution fine (§ 1202.45), a \$120 court security fee (§ 1465.8, subd. (a)(1)), and a \$90 criminal conviction assessment (Gov. Code, § 70373).

We appointed counsel to represent appellant in this appeal. After examination of the record, counsel filed an opening brief in which no issues were raised. On April 24, 2017, we advised appellant that he had 30 days in which to personally submit any contentions that he wished to raise on appeal. We have received no response from appellant.

The evidence shows that appellant followed his ex-girlfriend, Desirae Ruiz, after she left a Super Bowl party. Ruiz had previously reported appellant to the police and testified against him in a criminal threats case. Ruiz asked why appellant was following her and was pulled out of her car by an unidentified woman who emerged from appellant's car and hit and kicked Ruiz. Appellant called Ruiz "a rat" and tased her on the arm and chest.

We have reviewed the entire record and are satisfied that appellant's attorney has fully complied with his responsibilities and that no arguable issues exist. (*People v. Wende* (1979) 25 Cal.3d 436, 443; *People v. Kelly* (2006) 40 Cal.4th 106, 126.)

The judgment is affirmed.

NOT TO BE PUBLISHED.

YEGAN, J.

We concur:

GILBERT, P. J.

PERREN, J.

Roger L. Lund, Judge

Superior Court County of Ventura

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Richard B. Lennon, Staff Attorney, under  
appointment by the Court of Appeal for Defendant and Appellant.  
No appearance by Respondent.